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Establishment of a nuclear-weapon-free zone in the region of the Middle East

The risk of nuclear proliferation in the Middle East

Establishment of a nuclear-weapon-free zone in the region of the Middle East

Report of the Secretary-General

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I. Introduction

1. By paragraph 10 of its resolution 69/29, on the establishment of a nuclear-weapon-free zone in the region of the Middle East, the General Assembly requested the Secretary-General to continue to pursue consultations with the States of the region and other concerned States, in accordance with paragraph 7 of its resolution 46/30 and taking into account the evolving situation in the region, and to seek from those States their views on the measures outlined in chapters III and IV of the study annexed to the report of the Secretary-General of 10 October 1990 (A/45/435) or other relevant measures, in order to move towards the establishment of a nuclear-weapon-free zone in the region of the Middle East. By paragraph 11 of the same resolution, the Assembly also requested the Secretary-General to submit to it at its seventieth session a report on the implementation of the resolution. The present report is submitted pursuant to that request.

2. On 6 February 2015, the Office for Disarmament Affairs sent a note verbale to all Member States drawing their attention to paragraphs 10 and 11 of General Assembly resolution 69/29 and seeking their views on the matter. Replies received from the Governments of China, Cuba, Mexico, Portugal and Ukraine are reproduced in section III below. Additional replies received from Member States will be issued as addenda to the present report.

II. Observations

3. The Secretary-General is deeply worried about the persistent lack of prospects for a peaceful settlement of the Israeli-Palestinian conflict and threats against the two-State solution. He welcomes the international community's renewed engagement to promote the peace process and preserve the two-State solution. The parties bear a major responsibility to return to negotiations to end the nearly half-century-long conflict and resolve all final status issues — including Jerusalem, borders, refugees and security — leading to the establishment of a sovereign, independent, contiguous and viable State of Palestine living side by side in peace with a secure State of Israel, in accordance with relevant Security Council resolutions, previous agreements, the Madrid principles and the Quartet road map. The Secretary-General also reiterates his strong commitment to reaching a lasting and comprehensive peace in the Middle East and stresses that the Arab Peace Initiative remains valuable in this regard.

4. Since the previous report of the Secretary-General (A/69/130 (Part I) and Add.1 and A/69/130 (Part II)), the facilitator on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction, Mr. Jaakko Laajava, Under-Secretary of State of the Ministry of Foreign Affairs of Finland, together with the conveners for the Conference, the Secretary-General and the co-sponsors of the resolution on the Middle East adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America, pursued intensified efforts aimed at bringing the States of the region together to discuss and reach agreement on the arrangements for the Conference, including its agenda, modalities and rules of procedure.

5. At the sixty-ninth session of the General Assembly in October 2014, in the First Committee, the representative of the United Kingdom delivered a joint statement on behalf of the three co-convening States (Russian Federation, United Kingdom, United States of America), in which they reaffirmed their full commitment to convening the Conference. They expressed understanding of the disappointment expressed by many States for the failure to hold the Conference, but reaffirmed their readiness to convene it as soon as the States of the region agreed to its modalities by consensus. They expressed the belief that such agreement was possible and within reach. They stated that the States of the region must be willing to take difficult decisions that would enable the convening of an inclusive conference and urged all States to accept the facilitator's proposal for a further round of multilateral consultations so that the Conference could be held "soon".

6. Despite the extended consultations and other activities, there continued to be differences among the parties on several important aspects of the Conference, including its agenda and, by the end of 2014, agreement on the modalities for the Conference had not been reached. Efforts to resume consultations were also affected by developments in the region, including increased tension and active hostilities. In 2015, the facilitator and conveners continued their engagement with the States of the region with a view to finalizing the arrangements for the Conference, including its agenda, at the earliest possible date. They were ultimately unable to arrive at an agreement by the States of region on the arrangements for the Conference prior to the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

7. On 4 May 2015, the facilitator reported to the 2015 Review Conference. States parties took note of the report by the facilitator and expressed appreciation for his tireless efforts aimed at bringing the States of the region together. They expressed deep regret and dissatisfaction that the Conference had not been convened. The view was also expressed that the mandate for the practical steps endorsed at the 2010 Review Conference had expired. Many States parties tabled new proposals aimed at advancing a process leading to the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction. The 2015 Review Conference ended, however, without agreement on a substantive final document.

8. The Secretary-General expressed his disappointment at the inability of the 2015 Review Conference to reach consensus on a substantive outcome. He regretted in particular that States parties were unable to narrow their differences on the future of nuclear disarmament or to arrive at a new collective vision on how to achieve a Middle East zone free of nuclear weapons and all other weapons of mass destruction. The Secretary-General affirmed that he continued to stand ready to support efforts to promote and sustain the inclusive regional dialogue necessary to achieve this goal.

9. The Secretary-General welcomes the progress towards the destruction of all of the Syrian Arab Republic's declared chemical weapons, in accordance with its obligations under the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction as well as under Security Council resolution 2118 (2013). The Secretary-General also welcomes the continuing efforts to destroy the remaining chemical weapons production facilities in the Syrian Arab Republic. These accomplishments contribute to the realization of a Middle East zone free of all weapons of mass destruction, nuclear,

biological and chemical, as well as their means of delivery. At the same time, the Secretary-General remains deeply concerned by continuing allegations of the use of toxic chemicals as weapons in the Syrian Arab Republic. He reiterates his strong condemnation of any such use.

10. The Secretary-General is concerned that the failure to convene the Conference and the inability of States to agree on the way forward is a setback in the decades-long effort to establish the Middle East zone. He expresses his sincere appreciation to the facilitator and the Government of Finland for their determined support and efforts. The Secretary-General continues to believe that the States of the region possess interest and the will to make progress towards the establishment of the zone. He considers that it remains possible to achieve an inclusive process involving participation by the States of the region. The Secretary-General intends to pursue actively all appropriate options aimed at enabling the direct dialogue and negotiations necessary for the establishment of the zone.

III. Replies received from Governments

China

[Original: English]
[29 May 2015]

Pursuant to General Assembly resolution 69/29, the Chinese Government would like to share its views on the measures facilitating the establishment of a nuclear-weapon-free zone as follows:

A Middle East zone free of nuclear weapons, once established, will help prevent the proliferation of nuclear weapons, ease tension in the region and enhance peace and security in the region and the world. While promoting reconciliation and cooperation among the Middle East countries and facilitating the Middle East peace process, the international community should continue to attach importance to, and support efforts to establish, a Middle East zone free of nuclear weapons.

All countries should earnestly implement relevant General Assembly resolutions, the resolution on the Middle East adopted at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and relevant provisions of the Final Documents of the Review Conferences in 2000 and in 2010 respectively.

Israel should accede to the Non-Proliferation Treaty as a non-nuclear-weapon State as soon as possible. Relevant countries in the Middle East should sign and ratify the International Atomic Energy Agency (IAEA) Comprehensive Safeguards Agreements as soon as possible. Relevant countries should be encouraged to sign and ratify the Additional Protocols to the IAEA Comprehensive Safeguards Agreements.

The international conference on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction should be convened at an early date, ensuring the universal participation of all States in the region. In this regard, it is regrettable that, due to the divergences over this issue, the ninth Review Conference failed to adopt its final document by consensus. China welcomes the working papers (NPT/CONF.2015/WP.33, NPT/CONF.2015/WP.49, NPT/CONF.2015/WP.57) submitted by the Arab Group, the Group of Non-Aligned

States Parties and the Russian Federation respectively to the Review Conference. China also believes that the proposal made by the President of the Review Conference in her draft final document has taken into consideration the concerns of all parties in a fairly balanced manner.

China calls on all parties concerned to fully demonstrate their political will, continue to hold extensive consultations on the basis of the above-mentioned proposals and proactively seek ways to break the deadlock. China is ready to actively participate in the relevant process, provide all necessary support and contribute to the early establishment of a Middle East zone free of nuclear weapons.

It is our hope that the above views will be reflected in the relevant report of the Secretary-General.

Cuba

[Original: Spanish]
[26 May 2015]

Cuba attaches the highest priority to nuclear disarmament because nuclear weapons remain the greatest threat to the survival of humanity and life on our planet. The only realistic solution to this problem is the complete elimination and prohibition of nuclear weapons.

We strongly support the establishment of nuclear-weapon-free zones in different countries or regions of the world where they have not yet been able to be established, as part of efforts to achieve the objective of nuclear disarmament.

The Treaty of Tlatelolco, which established the first such zone in a densly populated region and to which Cuba is a party, paved the way for doing so in other regions. The Latin American and Caribbean region, in an unprecedented step, formally proclaimed itself a zone of peace at the Summit of the Community of Latin American and Caribbean States held in Havana in January 2014. This represents a substantive step on the long road towards international disarmament and security.

Unfortunately, despite the demand of the overwhelming majority of States and of many resolutions and decisions adopted by the General Assembly and IAEA, it has not been possible to establish a zone free of weapons of mass destruction, including nuclear weapons, in the Middle East.

Besides being an important contribution to achieving the nuclear disarmament goal, the establishment of such a zone would represent a transcendental step towards a peace process in the Middle East region.

Cuba considers it unacceptable that agreement was not reached on the convening in 2012 of the conference on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction. The holding of that conference was important and integral to the final outcome of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

Cuba hopes that the international conference on the establishment of a nuclear-weapon-free zone in the Middle East will be convened without further delay and without preconditions.

Mexico

[Original: English]
[25 May 2015]

As the main driver of the first nuclear-weapon-free zone to be established in a densely populated area, Mexico supports the creation of such zones as an effective nuclear non-proliferation measure.

Nuclear-weapon-free zones have contributed to the process of nuclear non-proliferation, since States that join such agreements undertake not to develop, acquire or use nuclear weapons, and not to deploy on their territory nuclear weapons belonging to another State.

Militarily denuclearized zones are not an end in themselves since they are an intermediate step towards the elimination of nuclear weapons and should be established on the basis of arrangements freely arrived at among the parties concerned.

Furthermore, the establishment of a zone free of nuclear weapons in the region of the Middle East was a key component of the commitments behind the 1995 agreement on the indefinite extension of the Treaty on the Non-Proliferation of Nuclear Weapons and the agreements reached at the 2000 and 2010 Review Conferences, which were aimed at helping to reduce tensions in the region and to creating a climate of peace and security, as well as furthering the goal of the total elimination of nuclear weapons in that region and strengthening the international non-proliferation and disarmament regime.

As a party to the Non-Proliferation and Disarmament Initiative, and as part of the review cycle of the ninth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, held in 2015, Mexico submitted a series of recommendations (NPT/CONF.2015/PC.III/WP.7, NPT/CONF.2015/WP.16) on the importance of the international community continuing to pay special attention to the ultimate goal of establishing a nuclear-weapon-free zone in that region, by urging countries in the region to work together to negotiate and agree on such a zone, and the conveners and the facilitator to continue their efforts in a constructive, flexible and forward-looking manner.

Moreover, within the framework of the New Agenda Coalition, of which Mexico is a member, it was indicated that the absence of a nuclear-weapon-free zone in the Middle East continues to be a serious concern and the need for full implementation of the resolution on the Middle East adopted in 1995 was reiterated.

That being so, Mexico will continue, individually and collectively, to support efforts to establish a nuclear-weapon-free zone in the Middle East both in the First Committee of the General Assembly and within the framework of the Board of Governors of the International Atomic Energy Agency, in addition to reaffirming its offer to share its experience and the lessons learned during the establishment of the nuclear-weapon-free zone in Latin America and the Caribbean.

Portugal

[Original: English]
[20 April 2015]

Portugal supports and highlights the importance of the resolution adopted in 1995, at the Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, as well as the implementation of the action plan resulting from the 2010 Review Conference, in what concerns the establishment of a nuclear-weapon-free zone in the Middle East, which underscores the importance of a process leading to the full implementation of the 1995 resolution.

In accordance with the Final Document resulting from the 2010 Review Conference, there would be a conference in 2012, involving the States parties of the region, Ambassador Jaakko Laajava of Finland being designated as the facilitator. However, the conference has not happened yet. Portugal regrets that the conference has been postponed.

Portugal fully supports the work of the facilitator and, in line with its European partners, gives its support to the initiatives that aim to promote the establishment of a nuclear-weapon-free zone in the Middle East.

In the context of the European Union Non-Proliferation Consortium, Portugal has been supporting the process leading to the establishment of a nuclear-weapon-free zone in the Middle East, through participation in the European think tanks and research centres network, as well as participation in seminars which aim to encourage the political dialogue and the discussion of security questions, among them disarmament and non-proliferation of weapons of mass destruction. We would like to point out, in this context, two seminars, organized by the European Union in 2011 and 2012, on the establishment of a nuclear-weapon-free zone in the Middle East. Portugal attended those seminars and considers such initiatives to be of crucial importance to foster dialogue and build confidence among all parties concerned.

Portugal has been appealing, both multilaterally and bilaterally, to all parties of the region and the co-conveners concerned for a fruitful result as soon as possible.

Ukraine

[Original: English]
[27 May 2015]

Ukraine is a member of the Treaty on the Non-Proliferation of Nuclear Weapons since 1994 as a non-nuclear State. During 21 years of membership Ukraine has been fulfilling its obligations in accordance with the provisions of this international legal instrument. Furthermore, Ukraine keeps undertaking and efficiently implementing additional obligations in the framework of nuclear security summits, in particular by refusal to use highly enriched uranium. In the course of the Nuclear Security Summit held at The Hague in March 2014 Ukraine reconfirmed its commitment to the principles of non-proliferation of nuclear weapons as a leading State in this process.

Ukraine supports the establishment of a nuclear-weapon-free zone in the region of the Middle East. This position was confirmed by Ukraine on a high political level at the 2015 Review Conference. We consider that convening a conference on this issue is one of the important tasks and its successful implementation would increase the level of regional and international security and strengthen the nuclear non-proliferation regime.